

## Message Text

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ACTION SS-25

INFO OCT-01 ISO-00 /026 W

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R 140949Z AUG 75

FM AMEMBASSY TOKYO

TO SECSTATE WASHDC 2484

INFO AMEMBASSY KUALA LUMPUR

AMEMBASSY STOCKHOLM

AMEMBASSY TRIPOLI

C O N F I D E N T I A L TOKYO 11312

EXDIS

E.O. 11652: XGDS-1

TAGS: PINS

SUBJ: JRA TERRORISTS

REF: STATE 190100

SUMMARY: GOJ HAS YET TO DECIDE ON APPROACH TO LIBYAN GOVERNMENT ON TERRORISTS, BUT WILL PROBABLY LIMIT ACTION TO 1) STATEMENT (ALREADY MADE) THAT TERRORISTS ARE CRIMINAL UNDER JAPANESE LAW AND 2) DIPLOMATIC INQUIRY ABOUT FUTURE GOL PLANS FOR DISPOSING OF CASE. END SUMMARY.

1. EMBOFF CALLEDON MIDEAST BUREAU DEPUTY DIRECTOR-GENERAL MURATA AUGUST 13 TO EXPRESS RELIEF AT HIS SAFE RETURN FROM LIBYA AND ADMIRATION FOR HIS SELFLESS ACT AS HOSTAGE DURING RECENT INCIDENT. IN RESPONSE TO QUESTION POSED REFTTEL, MURATA SAID GOJ HAD NOT DECIDED ON COURSE OF ACTION TO TAKE WITH LIBYAN GOVERNMENT CONCERNING FUTURE DISPOSITION OF TERRORISTS. MANY IN FOREIGN OFFICE FEEL THE GOJ IN NO POSITION TO DEMAND FORMAL ARREST AND EXTRADITION OF CRIMINALS. THERE IS NO EXTRADITION TREATY BETWEEN JAPAN AND LIBYA, AND HENCE NO LEGAL BASIS FOR THE REQUEST. MURATA BELIEVES THAT THIS IS THE MAJORITY VIEW AND THAT GOJ WILL DECIDE NOT TO REQUEST EXTRADITION FORMALLY.

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2. ACCORDING TO MURATA, GOJ AMBASSADOR IN TRIPOLI FORMALLY NOTIFIED LIBYAN FOREIGN OFFICE LAST WEEK THAT ALL THE TERRORISTS INVOLVED IN INCIDENT ARE CONSIDERED CRIMINALS UNDER JAPANESE LAW. THAT MUCH HAS BEEN SAID, BUT FUTURE GOJ ACTION WILL PROBABLY BE LIMITED TO INQUIRY THROUGH DIPLOMATIC CHANNELS IN NEAR FUTURE ABOUT THE WAY IN WHICH LIBYAN GOVERNMENT PLANS TO HANDLE GUERRILLAS.

3. GOJ LEVERAGE LIMITED FOR A VARIETY OF REASONS. HAD LIBYANS NOT AGREED TO LAND PLANE, JAPANESE BLOOD WOULD HAVE PROBABLY BEEN SHED. PAST LIBYAN PRACTICE SUGGESTS THAT ARAB PRESSURE WOULD OVERRIDE INTERNATIONAL SENTIMENT IN ANY CASE. EVEN WHEN RED ARMY TERRORISTS BLEW UP PLANE IN BENGHAZI, MURATA CONTINUED, AND CLEARLY VIOLATED LIBYAN LAW, GOVERNMENT STOPPED TRIAL AND LET TERRORISTS OFF. WHAT HOPE WOULD THERE BE FOR A DIFFERENT OUTCOME UNDER CURRENT CIRCUMSTANCES, MURATA ASKED.

4. SO FAR AS MURATA KNOWS, LIBYAN GOVERNMENT HAS MADE NO PROMISES TO TERRORISTS. ALTHOUGH TERRORISTS SET AS CONDITIONS FOR LANDING THAT THEY 1) NOT BE TREATED AS CRIMINALS AND 2) ULTIMATELY BE ALLOWED TO LEAVE COUNTRY, VICE FORIENG MINISTER BEL KASSEM TOLD MURATA ON ARRIVAL THAT LIBYAN GOVERNMENT HAD NEITHER ACCEPTED NOR REJECTED TERRORISTS' PRE-CONDITIONS.  
HODGSON

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